

Message

From: Kupchan, Simma [Kupchan.Simma@epa.gov]
Sent: 4/27/2018 2:58:06 AM
To: Wade, Alexis [Wade.Alexis@epa.gov]
Subject: FW: FL ESA Materials
Attachments: DRAFT FL MOA as of 4.19.18.DOCX; DRAFT FL MOA language on ESA.docx; OGC, R4, OWOW Proposed Path on FL ESA 4.19.18.docx

Draft MOA is first attachment. Still rough.

Simma Kupchan
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From: Kupchan, Simma
Sent: Friday, April 20, 2018 3:23 PM
To: Fotouhi, David <fotouhi.david@epa.gov>
Cc: Steven Neugeboren <Neugeboren.Steven@epa.gov>; Carrie Wehling <Wehling.Carrie@epa.gov>; Wade, Alexis <Wade.Alexis@epa.gov>
Subject: FL ESA Materials

David,

Attached please find a paper outlining a potential path forward to address FL's concerns about ESA liability following assumption of the CWA 404 program, along with draft MOA language that could potentially lay out this process.

WLO drafted this paper jointly with R4. It has been reviewed in OW through John Goodin's level. Steve is still reviewing, but we wanted to send to you now to keep things moving. Please let us know if you have questions or edits, or if you would like to send directly to Matt for transmission to Dave Ross.

R4 is very eager to follow up with Florida. Once you review these documents and are comfortable with them, we will let Mary Walker in the Region know; she would like to transmit these documents to the R4 RA as soon as our Front Office is ready to send them to Dave.

Ex. 5 AC/DP

I am also attaching the current draft of the FL-EPA MOA, so that you can see where the proposed language might fit. The current draft is still rough, though, and undergoing negotiation and review.

Thanks for your attention, and, again, I'm more than happy to answer any questions. Thanks to Alexis for her help with this!

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